

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

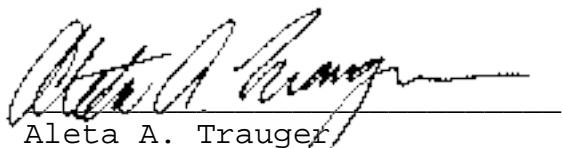
SEBASTIAN GONZALEZ ]  
Petitioner, ]  
] No. 3:10-0584  
v. ] (Crim. No. 3:06-00200)  
] Judge Trauger  
UNITED STATES OF AMERICA ]  
Respondent. ]

O R D E R

In accordance with the Memorandum contemporaneously entered, the Court finds merit in the respondent's Motion to Dismiss (Docket Entry No.9). Accordingly, the motion is GRANTED and this action is hereby DISMISSED as untimely.

Should the petitioner file a timely Notice of Appeal, such Notice shall be treated as an application for a certificate of appealability, 28 U.S.C. § 2253(c), which will NOT issue because the petitioner is unable to make a substantial showing of the denial of a constitutional right.

It is so ORDERED.



Aleta A. Trauger  
United States District Judge